

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MAINE**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
	)	
<b>v.</b>	)	<b>CRIMINAL No. 2:95-CR-29-DBH</b>
	)	
<b>THOMAS J. BARTELHO,</b>	)	
	)	
<b>DEFENDANT/PETITIONER</b>	)	

**ORDER AFFIRMING RECOMMENDED DECISION  
OF THE MAGISTRATE JUDGE**

On August 8, 2018, the United States Magistrate Judge filed with the court, with copies to counsel, his Recommended Decision on 28 U.S.C. § 2255 Motion. The petitioner filed an objection to the Recommended Decision on August 22, 2018. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. An evidentiary hearing under Rule 8 of the Rules Governing Section 2255 cases is not warranted. The petitioner's motion for habeas relief under 28 U.S.C. § 2255 is **DENIED**.

No certificate of appealability, pursuant to Rule 11 of the Rules Governing Section 2255 Cases, shall issue because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

**SO ORDERED.**

**DATED THIS 31<sup>ST</sup> DAY OF AUGUST, 2018**

/s/D. BROCK HORNBY  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**